

**REDACTED VERSION  
PURSUANT TO 35-A M.R.S.A. § 704(5)**

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2003-543

August 26, 2003

**[CUSTOMER]**

ORDER

Appeal Of Consumer Assistance  
Division Decision #2002-15482 Regarding  
Central Maine Power Company

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WELCH, Chairman; DIAMOND and REISHUS, Commissioners

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**I. SUMMARY**

In this Order, we uphold the decision of the Consumer Assistance Division and require Central Maine Power Company (CMP) customer **[Customer]** to comply with the payment arrangement she agreed to in May 2003.

**II. BACKGROUND**

**[Customer]** has had difficulty paying her electric bill for a number of years. She has had numerous payment arrangements. The arrangements have typically required **[Customer]** to keep up with current bills and pay an amount toward the balance owed. By not keeping up with the current amount, the back balance owed has continued to grow. By October of 2001, she owed \$3,960.

From January 14, 2002 through April 2002, service was established at **[Customer's]** residence in the name of **[Ms. B]**. When **[Ms. B]** moved in April, the unpaid balance that accumulated during this period was transferred to a new account established by **[Ms. B]**.

In May 2002, **[Mr. C]**, who resided in the same household, called and put the account in his name. **[Mr. C]** brought with him an unpaid balance of \$1,868 and agreed to a payment arrangement requiring current charges and \$156 per month. He had trouble keeping up with the payment arrangement. **[Customer]** communicated with CMP about the account during the next 14 months concerning difficulties with making payments. Payments were made intermittently. On March 13, 2003, **[Customer]** agreed to a new arrangement of \$150 down and \$481 level payments each month. She made some payments but was unable to keep the arrangement. On May 22, 2003, CAD helped her negotiate a new arrangement with \$400 down (including \$150 from the Department of Human Services (DHS)) and monthly payments of \$210 plus current charges.

CMP received no payments from **[Customer]** or **[Mr. C]**. On July 16, 2003, CMP disconnected service for nonpayment after issuing notices about the pending disconnection. CMP received a payment of \$150 on July 17, 2003 but still required

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**[Customer]** to pay \$732.40 for missed payments since she made the arrangement in May, in order to reconnect service.<sup>1</sup>

On July 17, 2003, **[Customer]** contacted CAD regarding the disconnection and her inability to establish another arrangement with CMP. On July 21, 2003, CAD issued its decision finding that the existing arrangement was reasonable and that she would need to pay the “catch up” amount of \$732.40 to be reconnected.

On July 25, 2003, **[Customer]** appealed CAD’s decision to the Commission. She believes she has been unfairly treated by CMP and CAD and that she cannot afford to pay the amount CMP requires for reconnection.<sup>2</sup>

**III. DECISION**

**[Customer]** has agreed to numerous payment arrangements over the years and has failed to abide by any of these. CMP is not required to provide service without payment or to renegotiate an arrangement every time an arrangement is broken. **[Customer]** needs to find a way to pay off the past due amount and keep current. We would advise her to apply for financial assistance through her local town office’s General Assistance program, local Community Action Agency, the regional office of the State of Maine’s Department of Human Services, the United Way, the Red Cross, or the Salvation Army. In addition, local area churches may be of assistance.

After reviewing the record of this case we find that CMP’s actions have been reasonable and consistent with our rules, as have the actions of our Consumer Assistance Division. **[Customer]** agreed to a reasonable arrangement and failed to comply with its terms. Her only payment was \$150 received by CMP after disconnection occurred. **[Customer]** will need to comply with the terms of her most recent payment arrangement in order to be reconnected, including the payments missed since she made the arrangement.

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<sup>1</sup> In addition, On July 1, CMP requested permission from CAD to transfer the outstanding balance that accumulated while the account was in **[Customer’s]** name prior to January 2002 to the account currently in **[Mr. C’s]** name. CAD authorized the transfer of the \$4,694.05 balance on July 14, 2003.

<sup>2</sup> **[Customer]** also makes statements about possible criminal activities (by unidentified persons not involved in this appeal). We have contacted appropriate law enforcement officials for further investigation of these matters.

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Dated at Augusta, Maine, this 26<sup>th</sup> day of August, 2003.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director

COMMISSIONERS VOTING FOR:      Welch  
   Diamond  
   Reishus

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**NOTICE OF RIGHTS TO REVIEW OR APPEAL**

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.